

# Answers to Frequently Asked Questions

Texas · Natural · Resource · Conservation · Commission

## The FY 97 Facility Fees

### What Is the FY 97 Facility Fee, and What Is It Based On?

The annual facility fee is assessed to each facility that holds a Class I industrial solid waste (NWF) or a hazardous waste permit (HWF) and to each facility that operates a Class I industrial solid waste or hazardous waste management unit subject to permit authorization. The fee is based on the permitted units and capacities of those units subject to permit authorization on September 1, 1996. It is not based on actual activity.

### Who is Required to Pay?

Each facility that has actual or future permit capacity for Class I industrial waste and/or hazardous waste management unit(s), as well as each facility that is required to comply with permit authorization in any part of the fiscal year.

### How Is the Fee Calculated?\*

This annual fee is the cumulative total of fees for all Class I industrial solid waste or hazardous waste management units at the facility that are authorized by permit or subject to authorization, based on the rates listed below.

\*You may find complete information in 30 Texas Administrative Code, Section 335.324.

### What if I Think the Fee Assessment Is Incorrect?

All disputes to the assessment of a fee must be made in writing prior to the due date. A telephone call does not guarantee your claim will be processed. In your correspondence, please provide your account number and a detailed description of the suspected error. If we do not receive written notification by the due date, late fees will be assessed. Prompt payment must be made for any part of the bill not in dispute.

### What Are The Current Facility Fee Rates?

For hazardous waste, the minimum fee is \$2,500, and the maximum fee is \$25,000.00. For nonhazardous waste, the minimum fee is \$500.00, and the maximum fee is \$5,000.00. Fees between the minimum and maximum are calculated from the schedule shown below.

Type of Waste Management Unit	Hazardous Waste Fee Rate
Storage/Processing	\$0.02/gallon
Land Treatment	\$4,000/surface acre
Waste Pile	\$4,000/surface acre
Surface Impoundment	\$5,000/surface acre
Landfill	\$5,000/surface acre
Injection Well	\$10,000/well
Closed Disposal Unit	\$2,500/unit
Other Unit*	\$2,500/unit

Type of Waste Management Unit	Nonhazardous Waste Fee Rate**
Storage/Processing	\$250
Land Treatment	\$400/surface acre
Waste Pile	\$400/surface acre
Surface Impoundment	\$500/surface acre
Landfill	\$500/surface acre
Injection Well	\$1,000/well
Closed Disposal Unit	\$250/unit
Other Unit*	\$250/unit

\* "Other unit" is an incinerator, thermal processing unit, or other processing unit not otherwise listed above used for waste reduction, recycling, or hazard reduction and subject to compliance with permit requirements.

\*\* These fees apply only when the permit for the facility in question authorizes only the management of nonhazardous waste.

## What if a Unit Has Been Closed?

In order to be exempt from the facility fee, the unit must be certified as closed and its closure verified by the Texas Natural Resource Conservation Commission (TNRCC) prior to the September 1 billing. For facilities that require post-closure care permits, the fee for a closed unit shall apply.

## What if an Affidavit of Exclusion Has Been Filed?

An applicant who files an affidavit after September 1 shall be subject to the annual facility fee for the billing year in which the affidavit is filed. The applicant shall not be subject to the annual facility fee for the following year, pending a decision by the TNRCC on the affidavit of exclusion. If the TNRCC determines that the facility is subject to the permit requirement, the applicant shall pay the fee within 30 days or be subject to late fees.

## Will Late Fees Be Assessed?

Yes, late fees will be assessed on all FY 97 facility fee invoices that are not paid by the due date. To avoid late penalties, you must submit payment for all undisputed fees and/or a written request for an adjustment by the due date. Prompt payment must be made for any part of the invoice not in dispute.

## What if I Need to Change the Mailing Address for My Facility?

If the facility address or contact person's name is incorrect, please provide the correct information in the space provided on the back of the coupon. All facility name changes or ownership changes must be submitted on company letterhead. Please include the account number in the correspondence.

## Why Must I Return the Coupon with My Payment?

The payment coupon (the top portion of your bill) contains an optical character reader (OCR) line. When we receive your payment, a computer reads your account number from that OCR

line. Without the original coupon, we must send your payment to another location for manual processing. That slows our processing of your payment and raises the possibility that your payment may not be credited to the correct account. The delay could also cause you to incur late penalties.

## I Have More than One Account; May I Send One Check for the Total Amount?

You may send all your payments in one envelope, but please enclose a separate check for each coupon. If the number of checks does not equal the number of coupons, we will have to process your payment manually, and your accounts may not be credited correctly. It is extremely important that companies paying for subsidiaries or other companies with different names submit each coupon and include **the proper account number** on each check or check stub.

## If No Payment Is Due, Where Do I Send Correspondence and Forms?

The envelope enclosed with your invoice is for payment only. If you are providing the TNRCC with information about your account, please address your mail to:

Texas Natural Resource Conservation Commission  
Financial Administration Division, MC-214  
PO Box 13087  
Austin TX 78711-3087

For answers to technical questions about this fee, please call the Permits Section of the Industrial and Hazardous Waste Division at (512) 239-0329.

**For account balance information, contact the Financial Administration Division at the following telephone numbers:**

For account names A-K: (512) 239-0366  
For account names L-Z: (512) 239-0192



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Financial Administration Division

PO Box 13087

Austin TX 78711-3087